

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA
HARRISBURG DIVISION

BETHANY LASPINA,

Plaintiff,

v.

SEIU PENNSYLVANIA STATE
COUNCIL; SEIU LOCAL 668; SEIU
HEALTHCARE PA; SEIU LOCAL 32BJ;
PENNSYLVANIA JOINT BOARD OF
WORKERS UNITED; LACKAWANNA
COUNTY LIBRARY SYSTEM;
SCRANTON PUBLIC LIBRARY,

Defendants.

CASE NO.: 3:18-CV-02018-MEM

[PROPOSED] ORDER DISMISSING SECOND AMENDED COMPLAINT

Upon consideration of Defendant SEIU Local 668's Motion to Dismiss Plaintiff's Second Amended Complaint, all supporting documents, any responses thereto, and all pleadings and documents submitted in this matter, it is hereby ORDERED that Local 668's Motion to Dismiss Plaintiff's Second Amended Complaint is granted pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure. Plaintiff's claims for relief in Count 1 on behalf of former fair share fee payers and on behalf of union members who purportedly joined the union because of the fair share fee requirement are dismissed for lack of jurisdiction under Rule 12(b)(1); plaintiff's claim for relief in Count 1 based on her purported misunderstanding regarding her right to refrain from joining the union is dismissed for failure to state a claim under Rule 12(b)(6); Count 2 is dismissed for lack of

jurisdiction under Rule 12(b)(1); and Count 3 is dismissed for lack of jurisdiction under Rule 12(b)(1). The claims against Local 668 set forth in Plaintiff's Second Amended Complaint are hereby dismissed.

IT IS SO ORDERED.

Dated: _____

Hon. Malachy E. Mannion